

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

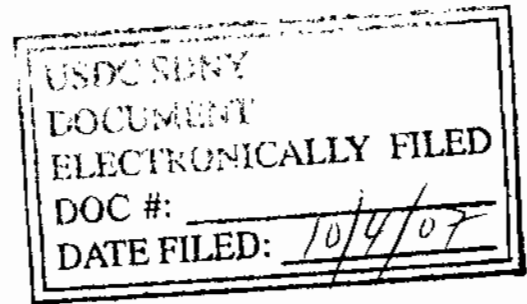
VIRGIN ENTERPRISES LIMITED,

Plaintiff,

- against -

THOMAS FRANK, VIRGIN-INVESTMENT.COM,
N.C. SMOL, VIRGIN-AMERICA.COM, DIRECT
INFORMATION PVT LTD, VIRGINMACAU.COM,
C3 FINANCIAL SERVICES, INC.,
VIRGINMONEYUSA.COM, INTERNET EQUITY
INVESTORS, LLC, VIRGINPROPERTIES.COM,
1734488 ONTARIO INC., VIRGINPROPERTIES.NET,
QUENTRAL AIR CONDITIONING SERVICES, and
VIRGIN-PROPERTIES.COM,

Defendants.



07 Civ. 6234 (LAP)

LCF CASE

~~PROPOSED~~ ORDER FOR
DEFAULT JUDGMENT

This action having been commenced by the filing of the complaint on July 5, 2007; a copy of the summons and complaint having been served on Defendant N.C. Smol ("Smol") on July 11, 2007; the amended complaint having been filed and served on July 17, 2007; and Smol not having appeared in this action, and his time for doing so having expired, it is hereby


ORDERED, that Smol, his servants, employees, representatives, attorneys, successors, and assigns, and all others acting in active concert or participation with him who receive notice of this Order, are permanently enjoined and restrained from using, registering, or maintaining any trade name, trademark, service mark, domain name, or other designation that incorporates the word "VIRGIN"; and it is further

ORDERED, that the registration of the domain name VIRGIN-AMERICA.COM is hereby TRANSFERRED to Plaintiff Virgin Enterprises Limited ("VEL"); and it is further

ORDERED, that the registrar eNom, Inc., or any subsequent registrar, is hereby directed to associate the domain name VIRGIN-AMERICA.COM with an internet protocol sequence to be supplied by VEL; and it is further

ORDERED, that Verisign, Inc., as the registry, change the registrar of record for the domain name VIRGIN-AMERICA.COM from the current registrar, eNom, Inc., to a registrar selected by VEL, including without limitation, Register.com, Inc. or Network Solutions, LLC, which subsequently will register the domain name VIRGIN-AMERICA.COM in the name of Virgin Enterprises Ltd.

DONE and ORDERED this 3rd day of October 2007.


The Honorable Judge Loretta A. Preska
United States District Judge
Southern District of New York